



SO ORDERED.

SIGNED this 5th day of April, 2016.

Lena Mansori James
 LENA MANSORI JAMES
 UNITED STATES BANKRUPTCY JUDGE

C-13-7a
 (Rev. 01/12)

UNITED STATES BANKRUPTCY COURT
 MIDDLE DISTRICT OF NORTH CAROLINA
 DURHAM DIVISION

| | | |
|-------------------------------|---|--------------------------|
| In Re: |) | ORDER CONFIRMING PLAN |
| Ariel Rosezell Moore |) | CHAPTER 13 |
| SS# xxx-xx-2864 |) | |
| 1471 New Castle Road, Apt. C2 |) | |
| Durham, NC 27704 |) | |
| |) | Case No. B-15-81387 C13D |
| |) | |
| Debtor(s) |) | |

This case came before the Court, after notice and opportunity for hearing, for confirmation of the Chapter 13 plan proposed in this case; and IT APPEARING to the Court as follows:

- I. The Trustee in this case is Richard M. Hutson II, Standing Trustee, Post Office Box 3613, Durham, North Carolina 27702;
- II. The attorney for the Debtor(s) is John T. Orcutt;
- III. Under the final plan (the "Plan") as proposed:

A. Plan Payments

1. The Debtor(s) is/are to make monthly payments to the Trustee which are to be disbursed by the Trustee in accordance with the Plan and this Order;
2. The monthly plan payment to the Trustee is \$208.00 beginning 2/19/2016; Payments into the Plan shall be increased to \$523.00 per month beginning 03/2016.

B. Administrative Costs

1. **Attorney Fees.** The Attorney for the Debtor(s) is allowed the base fee of \$3,700.00. The Attorney has received \$0.00 from the Debtor(s) pre-petition and the remainder of the base fee will be paid by the Trustee as funds are available.
2. **Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

C. Priority Claims

Any timely filed claims entitled to priority under 11 U.S.C. §507, on behalf of the entities listed below, will be paid in full in deferred cash payments unless otherwise indicated.

1. Internal Revenue Service
2. North Carolina Department of Revenue
3. Durham County Tax Collector

D. Secured Claims**1. Secured Claims To Be Paid In Full - Personal Property**

| Creditor & Property | Claim Filed (Y/N) | Claim Amount | Monthly Payment | Interest Rate | AP Payment |
|--|-------------------|--------------|-----------------|---------------|------------|
| Car Finance Capital 2014 Ford t/e 12/30/14 | Y | \$21,070.00 | \$461.04 | 5.25% | \$97.00 |
| Car Finance Capital ("the creditor") shall receive adequate protection payments in the amount of \$97.00 per month for ten (10) months from confirmation, after which point the Chapter 13 Trustee shall commence equal monthly payments in the amount of \$461.04, until such time as the claim is satisfied. Pursuant to 11 U.S.C. §1325(a)(5)(B)(i), the creditor shall retain its lien against the automobile until the earlier of the payment of the underlying debt determined under non-bankruptcy law or the Debtor's discharge pursuant to 11 U.S.C. §1328. | | | | | |

2. Partially Secured Claims - Real Property and Personal Property

Any objection to value is required to be filed as a formal objection to valuation not later than 60 days from the date of the entry of this Order.

| Creditor & Property | Claim Filed (Y/N) | Claim Amount | Secured Amount and Value | Monthly Payment | Interest Rate | AP Payment |
|---|-------------------|--------------|--------------------------|-----------------|---------------|------------|
| Springleaf Fincl. 2003 Chevrolet t/e 6/23/15 NPMSI | Y | \$3,768.81 | \$1,395.00 | \$30.82 | 5.25% | \$0.00 |

E. General Unsecured Claims Not Separately Classified.

General unsecured claims not separately classified will be paid as funds become available after payment of costs of administration. The estimated dividend to general unsecured claims is 0%.

F. Special Provisions**LOCAL GOVERNMENT FEDERAL CREDIT UNION ("LGFCU") (Claim No. 7)**

LGFCU has filed a claim in the amount of \$252.72 secured by a share account having a balance of \$178.11. The automatic stay is hereby modified pursuant to 11 U.S.C. §362 to permit SECUCU to apply the share account securing the claim as a setoff in accordance with 11 U.S.C. §553, leaving an allowed unsecured claim in the amount of \$74.61.

- G. The Debtor(s) will pay **THE GREATER OF** the amount necessary to pay all allowed costs of administration, priority and secured claims in full, with the exception of continuing long term debts, **OR** a **minimum** of **36** monthly plan payments, with the plan to be reviewed in six (6) months and periodically thereafter for plan payment adjustments;
- H. The terms and provisions of the Standing Order dated **March 11, 2016**, are incorporated in this Order and are available on the Court's website at **www.ncmb.uscourts.gov**.
- I. **IT FURTHER APPEARING** to the Court that the Plan complies with the requirements of 11 U.S.C. §1325; therefore, it is

ORDERED that the Plan is confirmed.

END OF DOCUMENT

PARTIES TO BE SERVED

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RICHARD M. HUTSON, II
STANDING TRUSTEE
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DURHAM, NC 27702-3613